

ORDINANCE NO. 1298

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, ~~APPROVING THE TERMS AND CONDITIONS OF AN AMENDMENT TO A MEMBER AGREEMENT BETWEEN NORTHERN CALIFORNIA POWER AGENCY AND CERTAIN PARTICIPATING MEMBERS,~~ AND AUTHORIZING THE ~~EXECUTION OF AND DELIVERY OF SAID AMENDMENT BY OFFICERS OF THE CITY OF LODI, CALIFORNIA~~

WHEREAS, pursuant to the provisions of ~~Chapter~~ 5, Division 7, Title 1 of the Government Code of the State of California, as amended (the "Joint Powers Act"), the City of Lodi, California (the "City") and certain other public agencies created pursuant to the laws of the State of California (collectively, the "Members"), have entered into a Joint Powers Agreement (the "Agreement"), as amended, creating the ~~Northern~~ California Public Agency (the "Agency"), a public entity separate and apart from the ~~Members~~; and

WHEREAS, in accordance with the Agreement and the Joint Powers Act, ~~the Agency has entered or will enter into agreements to acquire a project (the "Project") to consist of rights to capacity and energy from the North Fork Stanislaus River Hydroelectric Development Power Project, a hydroelectric project proposed to be constructed in the State of California, and capital improvements thereto that may be constructed from time to time, and interests in certain other properties and rights relating thereto; and~~

WHEREAS, the City has heretofore entered into the Agreement for Construction, Operation and Financing of the North Fork Stanislaus River Hydroelectric Development Project (the "~~Member~~ Agreement") dated for convenience as of September 1, 1982, to purchase electric capacity and energy of the Project from the Agency; and

WHEREAS, this City Council finds and determines that ~~it is~~ desirable to amend the ~~Member~~ Agreement in accordance with the ~~terms~~

and provisions of ~~Amendment Number One~~ To the Agreement for Construction, Operation and Financing of the North Stanislaus River Hydroelectric Development ~~Project~~ dated as of August 1, 1983 (the "Amendment");

NOW, THEREFORE, the City Council of the City does ordain as follows:.

1. The City Council hereby finds and determines that the terms and provisions of the ~~Amendment~~ in substantially the form submitted to ~~this~~ City Council be, and the ~~same~~ are hereby, approved.

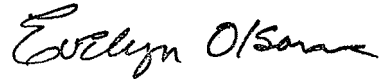
2. The Mayor and City Clerk are authorized to execute and deliver said ~~Amendment~~ by and on behalf of the City.

3. Pursuant to Section 54241 of the Government Code of the State of California, ~~this~~ Ordinance is subject to the provisions for referendum applicable to the City.

4. The City Clerk shall certify to the enactment of this Ordinance and shall cause ~~this~~ Ordinance to be published in accordance with Section 54242 of the Government Code of the State of California.

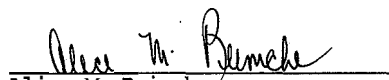
5. Thirty (30) days from and after its enactment, this Ordinance shall take effect and be in full force, in the manner provided by law.

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk ~~this~~ 21st day of September, 1983.



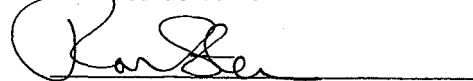
Evelyn M. Olson
Mayor of ~~the~~ City of Lodi

Attest:



Alice M. Reimche
City Clerk of the City of Lodi

Approved as to form



Ron Stein
City Attorney